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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Delbert M. Greene,

Plaintiff,

vs.

Shelly Williams, Renee Baker, and E.K.
McDaniel,

Defendants.

Case No: 2:19-cv-01529-APG-MDC

**JOINT STIPULATION TO EXTEND ALL
DEADLINES**

(FOURTH REQUEST)

Plaintiff Delbert Greene (“Plaintiff”) and Defendants Renee Baker and E.K. McDaniel (“Defendants”) (collectively the “Parties”), by and through their respective counsel of record, hereby respectfully submit this Joint Stipulation to Extend all deadlines by an additional sixty (60) days. This is the fourth request to extend deadlines in this matter. The Parties have agreed to the extension for the reasons set forth below:

PROCEDURAL BACKGROUND

Plaintiff filed his Amended Complaint in this case on July 15, 2020. (ECF No. 11.) Despite lack of service, Defendants Renee Baker and E.K. McDaniel filed their Motion to Dismiss on July 28, 2021. (ECF No. 37.) On March 31, 2022, the Court denied the Motion to Dismiss ordering the Plaintiff to show cause why his claims should be equitably tolled and providing Defendants Baker and McDaniel with an opportunity to respond. (ECF No. 45.) On October 24, 2022, the Court denied Defendant Baker and McDaniel’s motion to dismiss (ECF No. 37) and Plaintiff’s motion for temporary restraining order (ECF No. 48), but granted

1 Plaintiff's motion for appointment of counsel (ECF No. 61). (*See* ECF No. 63.) The Court
2 referred the matter to the pro bono program on October 24, 2022. (ECF No. 64.) Defendants
3 Baker and McDaniel filed an Answer to the First Amended Complaint on March 28, 2023. (ECF
4 No. 75.) On April 28, 2023, the Court issued an order to extend case management deadlines so as
5 to allow time for pro bono counsel to be appointed for Plaintiff. (ECF No. 83.) Pro bono counsel
6 entered an appearance on behalf of Plaintiff on June 2, 2023. (ECF No. 84.)

7 On July 31, 2023, the Court entered an order granting a Joint Request to Extend all
8 Deadlines (First Request) (ECF No. 87). Since that time, the parties participated in a Rule 26
9 Conference and made Initial Disclosures. The Court issued a Discovery Plan and Scheduling
10 Order on January 2, 2024. (ECF No. 91.) Defendants served Subpoenas Duces Tecum on
11 healthcare providers requesting medical records relating to Plaintiff. In January and February,
12 2024, Plaintiff made First and Second Supplemental Disclosures and served Subpoenas Duces
13 Tecum on non-parties Social Security Administration, Nevada Department of Corrections
14 ("NDOC") and the Nevada Board of Parole Commissioners. Defendants also deposed Plaintiff
15 on April 29, 2024. Additionally, the Parties have held several meet-and-confers and been able to
16 resolve conflicts without court intervention to date.

17 **GOOD CAUSE TO EXTEND DISCOVERY**

18 Both parties are actively engaging in discovery and will continue to do so to ensure that
19 relevant information is obtained and exchanged in a timely manner. Because Plaintiff is currently
20 in the custody of the Nevada Department of Corrections, Defendants filed a motion for
21 permission to conduct an IME. The Court granted Defendants' motion on May 15, 2024, and set
22 certain dates by when the IME needed to occur. (ECF No. 112.) However, the doctor conducting
23 the IME had a scheduling conflict, which resulted in Defendants filing a motion for relief from
24 the Court's order and sought new dates for the IME. (ECF No. 114.) On June 10, 2024, the Court
25 granted Defendants' motion for relief and indicated the IME needed to be completed by July 1,
26 2024. The IME is scheduled to take place on June 24, 2024, and July 1, 2024. Moreover, NDOC
27 is still in the process of producing the documentation sought via subpoena, including documents
28 regarding Plaintiff's health records, communications relevant to the claims made in the First

Amended Complaint, as well as relevant policies and procedures, among other requested documentation to which NDOC has sole access, custody, and control.

Additionally, counsel on both sides have experienced some changes in the attorney teams handling this matter, and therefore seek additional time to complete discovery and allow new members of the respective teams to come up to speed.

The Parties have stipulated and agreed to extend all deadlines by an additional sixty (60) days as set forth below. This extension will ensure that the case continues to progress smoothly, and to allow both sides to address issues that may arise between them. For these reasons, this stipulation is made for good cause and not for any improper motive or to cause unnecessary delay.

The Parties hereby stipulate and agree to the following proposed deadlines in this case:

Event	Existing Deadline	Proposed New Deadline
Expert Disclosures (for party with the burden of proof on the issue)	July 1, 2024	August 30, 2024
Last day to Amend Pleadings	July 29, 2024	September 27, 2024
Rebuttal Expert Disclosures	July 30, 2024	September 30, 2024*
Discovery Cutoff	August 27, 2024	October 28, 2024*
Discovery Motion Deadline	September 13, 2024	November 12, 2024
Dispositive Motion Deadline	September 27, 2024	November 26, 2024
Joint Proposed Pretrial Order	October 28, 2024	December 27, 2024

* Deadline falls on a weekend, so deadline moved to the next court day.

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1 If dispositive motions are filed, the deadline for filing the joint pretrial order will be
2 suspended until 30 days after decision on the dispositive motions or further court order.

3 **IT IS SO STIPULATED AND AGREED.**

4 DATED this 26th day of June, 2024.

DATED this 26th day of June, 2024.

5 **DICKINSON WRIGHT PLLC**

AARON D. FORD
Attorney General

6
7 /s/ John L. Krieger

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Attorneys for Renee Baker and E.K. McDaniel

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15 **IT IS SO ORDERED:**

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19 **Hon. Maximiliano D. Convillier III**
20 **UNITED STATES MAGISTRATE JUDGE**
21 **Dated: 6/27/24**
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